

IN THE HIGH COURT OF JUDICATURE AT PATNA  
COM PET No.5 of 1991  
IN THE MATTER OF BIHAR GASES LTD.  
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13. 16.9.2010

This company petition was registered on the basis of an opinion dated 13.8.1991 of the Board for Industrial and Financial Reconstruction in case No.206 of 1988, in which the final opinion was recorded under Section 20 (1) of the Sick Industrial Companies (Special Provisions) Act, 1985 that it is just and equitable that the Bihar Gases Limited should be wound up. Accordingly, the said opinion was forwarded to this Court along with all the earlier orders/proceedings passed in the case. The winding up order, however, was not passed in view of the statement made before the Court that the decisions of the BIFR and the AAIFR had been challenged in this regard in C.W.J.C. No.9556 of 1992.

Mr. Umesh Prasad Singh, learned Senior Counsel appearing for the Company states that C.W.J.C. No.9556 of 1992 has been transferred by this Court to the Jharkhand High Court. He also submits that the registered office of the company is situated in the town of Deoghar, earlier in Casters Town and at present at C-2, Palika Bazar Complex near Pani Tanki, P.O., P.S. and District-

Deoghar-814112 in the State of Jharkhand.

It is thus submitted by learned counsel that in view of the provisions of the Bihar Reorganization Act, 2000 read with the provisions of the Companies Act, 1956, the matter now falls within the exclusive jurisdiction of the Jharkhand High Court.

This Court is in agreement with the aforesaid submissions of learned counsel for the Company.

In the above circumstances, the matter is fit to be transferred to the Jharkhand High Court.

Let the records of the case be put up before the Hon'ble the Chief Justice for the said purpose.

**VPS**

**( Ramesh Kumar Datta, J. )**

